

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

19 CR 536 (PKC)

-against-

ORDER

DEE JAY WHITE AND JASON MARTINEZ,

Defendants.

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CASTEL, U.S.D.J.

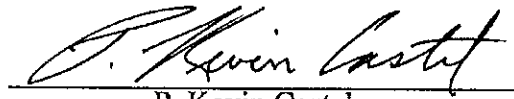
Trial of this action commences on July 28, 2021. On July 13, 2021, the government disclosed certain information to counsel for defendant White on an “attorney’s eyes only” basis. Contingent upon a yet-to-be made decision regarding the scope of cross-examination of a witness by each defendant, counsel for White has a good faith belief that he may have the basis for a severance motion.

In his letter of July 13, 2021, counsel for defendant asserts that he is hampered in his ability to make a severance motion because he cannot disclose to his client the information that was disclosed to him on July 13. In view of the foregoing, the Court Orders as follows:

1. The government shall forthwith show cause in writing why defense counsel ought not be permitted to disclose the information to his client immediately and not wait until July 21, 2021 as the government has proposed.
2. Regardless, defense counsel may file a motion for a severance contingent on later consultation with his client on all aspects of the severance motion, including waiving the right of cross-examination. The Court advises both sides, however, that it will not make a decision on the severance motion unless and until each defense counsel is in a position to make a fulsome

representation after consultation with their clients.

SO ORDERED.

A handwritten signature in black ink, reading "P. Kevin Castel", written over a horizontal line.

P. Kevin Castel  
United States District Judge

Dated: New York, New York  
July 15, 2021